

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SIMON J. BURCHETT PHOTOGRAPHY, INC.,

Index No.: 1:2019-cv-01576 (KPF)

Plaintiff,

**DECLARATION OF SIMON J.
BURCHETT**

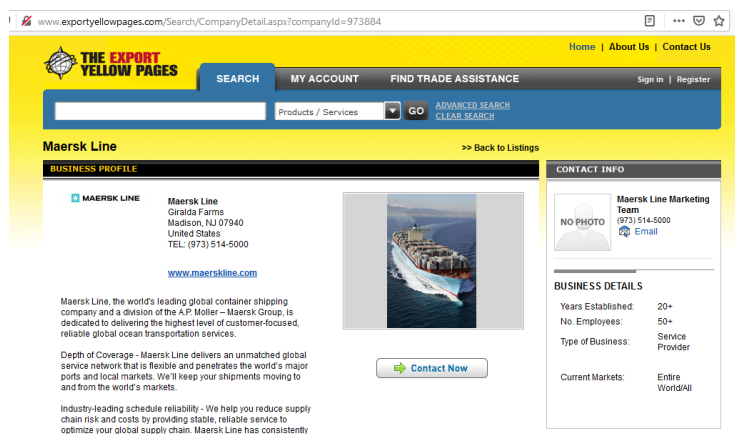
v.

A.P. MOLLER MAERSK A/S,

Defendants.
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I, Simon J. Burchett, hereby declare pursuant to 28 U.S.C. § 1746, and under the penalties of perjury, as follows.

1. I am the sole owner of the plaintiff in this action.
2. I am the photographer that captured the image titled “L4A0294” which is the subject of this litigation and a resident of the United Kingdom.
3. On or about February 26, 2020, while diligently researching an infringement of my image titled _L4A0297 utilizing a new image search engine, I found the below infringement of my _L4A0294 image under a section called “similar images”.



4. After a phone call following up on the infringement, I was informed that in or about April 2019 defendant contracted for a “Premier Account” with The Export Yellow Pages and was responsible

for the upload of my copyrighted _L4A0294 image to the website and the copyright management information I permanently embedded in the image was removed.

5. The address used for defendant's headquarters was Maersk Line, Giralda Farms, Madison, NJ 07940, United States, TEL: (973) 514-5000.

6. Defendant is the only party who has ever been given a copy of my _L4A0294 image. Defendant, however, elected not to license my _L4A0294 image.

7. I declare under the penalty of perjury that the foregoing is true and correct.

EXECUTED ON

March 7, 2020



Simon J. Burchett